

1 **NDCAP 2015 Annual Report to the Governor of Vermont and**
2 **the Energy Committees of the General Assembly**
3 **DRAFT 12-30-15**
4

5 **I. Background and Statutory Authority**
6

7 The nineteen member Nuclear Decommissioning Citizens Advisory Panel (NDCAP) was
8 established under 18 V.S.A. Chapter 34 passed in the 2014 legislative session, and replaces
9 the seven member Vermont State Nuclear Advisory Panel (VSNAP) that had been in place
10 since the sale of Vermont Yankee to Entergy in 2002. The new panel added six citizen
11 members, two each to be appointed by the Governor, the Senate Pro-Tem and the House
12 Speaker.
13

14 The members of the Nuclear Decommissioning Citizens Advisory Panel in 2015 were:

- 15 • the Secretary of Human Services designee; **Dr. William Irwin**
- 16 • the Secretary of Natural Resources designee; Department of Environmental
17 Conservation **Commissioner David Mears***
- 18 • the Commissioner of Public Service, ex officio; **Commissioner Chris Recchia**
- 19 • the Secretary of Commerce and Community Development, ex officio; **Secretary Pat**
20 **Moulton**
- 21 • one member of the House Committee on Natural Resources and Energy, chosen by
22 the Speaker of the House; **Representative Michael Hebert**
- 23 • one member of the Senate Committee on Natural Resources and Energy, chosen by
24 the Committee on Committees; **Senator Mark MacDonald**
- 25 • one representative of the Windham Regional Commission or designee, selected by
26 the Regional Commission; **Executive Director Chris Campany**
- 27 • one representative of the Town of Vernon or designee, selected by the legislative
28 body of that town; appointed is **Stephen Skibniowsky**
- 29 • six members of the public, two each selected by the Governor, the Speaker of the
30 House, and the President Pro Tempore of the Senate. Under this subdivision, each
31 appointing authority initially appointed a member for a three-year term and a
32 member for a four-year term: **Kate O'Connor (4), Martin Langeveld (3), Jim**
33 **Matteau (4), Jim Tonkovich (3), David Deen (4), Derrik Jordan (3)** Subsequent
34 appointments under this subdivision shall be for terms of four years.
- 35 • two representatives of the Vermont Yankee Nuclear Power Station (VYNPS or
36 Station) selected by the owner of the Station; **Christopher J. Wamser**, Site Vice-
37 President and **T. Michael Twomey***, Vice-President External Affairs, ENVY
- 38 • a representative of the International Brotherhood of Electric Workers (IBEW)

1 selected by the IBEW who shall be a present or former employee at the VYNPS;

2 **David Andrews**

- 3 • one member who represents collectively the Towns of Chesterfield, Hinsdale,
4 Richmond, Swanzey, and Winchester, New Hampshire, when selected by the
5 Governor of New Hampshire at the invitation of the Commissioner of Public Service;
6 **Senator Molly Kelly***, Keene, NH and
- 7 • one member who represents collectively the Towns of Bernardston, Colrain, Gill,
8 Greenfield, Leyden, Northfield, and Warwick, Massachusetts, appointee is MA
9 **Representative Paul W. Mark** (2nd Berkshire District of the MA State Legislature)

10
11 *Three Panel members resigned and their replacements appointed: Trey Martin, Deputy
12 Secretary of the Agency of Natural Resources filled the seat vacated by Commissioner
13 David Mears; Paul Paradis, Decommissioning Director, ENVY filled the seat vacated by Mike
14 Twomey, Vice President External Affairs, ENVY; and Diane Becker, Chief of Technological
15 Hazards, New Hampshire Emergency Management and Homeland Security filled the seat
16 vacated by Sen. Molly Kelly.

17
18 **II. NDCAP Statutory Duties and Other Provisions of the Charter**

19
20 The Panel serves in an advisory capacity. The duties of the Panel as outlined by the statute
21 are:

- 22 • To hold a minimum of four public meetings each year for the purpose of discussing
23 issues relating to the decommissioning of the Vermont Yankee Nuclear Power
24 Station (VYNPS). The Panel may hold additional meetings;
- 25 • To advise the Governor, the General Assembly, the agencies of the State, and the
26 public on issues related to the decommissioning of the VYNPS, with a written report
27 being provided annually to the Governor and to the energy committees of the
28 General Assembly;
- 29 • To serve as a conduit for public information and education and to encourage
30 community involvement in matters related to the decommissioning of the VYNPS;
- 31 • To receive written reports and presentations on the decommissioning of the Station
32 at its regular meetings;
- 33 • To periodically receive reports on the Decommissioning Trust Fund and other funds
34 associated with decommissioning of or site restoration at the VYNPS, including fund
35 balances, expenditures made, and reimbursements received;
- 36 • To receive reports regarding the decommissioning plans for the VYNPS, including
37 any site assessments and post-shutdown decommissioning assessment reports;
38 provide a forum for receiving public comment on these plans and reports; and
- 39 • To provide comment on these plans and reports as the Panel may consider

1 appropriate to State agencies, the owner of the VYNPS and in the annual report.

2
3 The Charter can be found in **(Attached)**.

4 **III. Meeting of the NDCAP**

5
6 The NDCAP held eight meetings in 2015 on January 28, February 26, March 26, May 28,
7 June 25, September 24, November 12 and December 12. All meetings were open to the
8 public and opportunities for comments from the public were provided. The minutes of
9 each meeting can be found on the PSD website at www.publicservice.vermont.gov. A
10 video of each meeting can be found at www.brattleborotv.org. Key decisions and topics of
11 each meeting are summarized below:

12
13 **January 28, 2015**

- 14 • ***Nuclear Regulatory Commission (NRC) Presentation on Post-Shutdown
15 Decommissioning Activities Report (PSDAR) Process.*** Bruce Watson, (Chief of the
16 Reactor Decommissioning Branch), Doug Broadus and Marc Ferdis of the NRC
17 explained the PSDAR process.
- 18 • ***Entergy Update on Decommissioning Activities.*** Chris Wamser, Site Vice
19 President, Vermont Yankee provided an overview of the status of Vermont Yankee.
20 After 633 consecutive days of generating electricity, VY ceased operations on
21 December 29, 2014. Final defueling and certification of permanent cessation of
22 power operations was completed on January 12, 2015. Staff reductions (528 to 343)
23 reflecting VY final shutdown and transition to SAFSTOR occurred on January 19. Of
24 the released staff, all but six have either retired or found other jobs. Current VY
25 staffing will remain stable through mid-2016. Off-Site Emergency Plans are fully
26 funded through the end of 2015. The focus is now on transitioning the site to long-
27 term storage (SAFSTOR) of plant facilities prior to final decommissioning /
28 dismantling, continued compliance with federal regulations and Settlement
29 Agreement with the State, completion of second Independent Spent Fuel Storage
30 Installation (ISFSI/dry cask storage pad) and establishment of Site Restoration
31 Standards.
- 32 • ***Leadership Selection:*** Kate O'Connor was elected chair. Martin Langeveld was
33 elected vice chair.

34
35 **February 26, 2015**

- 36 • ***Role of NDCAP and priorities for 2015.*** An Issues Committee was formed to make
37 recommendations to the Panel at the March 26 meeting regarding topics for
38 discussion at future meetings. Members of the committee: Chair: Dave Andrews,
39 members Chris Company, Martin Langeveld, Jim Matteau, and Kate O'Connor.

- 1 • **NDCAP Charter.** The Panel adopted its Charter.
- 2 • **Entergy Update on Decommissioning Activities.** Joe Lynch, Government Affairs
3 Manager, Entergy Vermont Yankee, provided an update on recent activities. VY is
4 under the decommissioning inspection program. Support buildings are being
5 removed, systems are being drained for long-term storage, security modified and
6 the site is planning for a second Independent Spent Fuel Storage Installation (ISFSI/
7 dry cask storage pad) to transfer fuel to dry storage.
- 8 • **State of Vermont Update on Decommissioning Activities.** David Mears,
9 Commissioner of the VT Department of Environmental Conservation, provided the
10 State's update on recent activities. The State is looking for answers from Entergy to
11 the comments submitted on the draft Post Shutdown-Decommissioning Activities
12 Report (PSDAR). The State is looking forward to negotiating site restoration
13 standards with a full, open and public process.
- 14 • **Entergy Presentation on Emergency Preparedness.** Mike McKenney, VY
15 Emergency Planning Manager, presented an update on VY emergency plans
16 including VY's emergency plan (EPlan) timeline; EPlan decommissioning status;
17 post shutdown emergency plan; EPlan exemptions sought from the NRC;
18 implementation of permanently defueled emergency plan to take place in April
19 2016; and ISFSI EPlan set to be implemented after all fuel is transferred to the ISFSI,
20 currently planned for 2020.
- 21 • **Panel Discussion on Emergency Preparedness.**
22 Commissioner Recchia explained that the State is appealing a ruling by the Atomic
23 Safety and Licensing Board (ASLB). The State wants Entergy to keep the Emergency
24 Response Data System (ERDS) or a comparable system in place at VY until 2020
25 when all the spent fuel is moved into dry casks.

26 27 **March 26, 2015**

- 28 • **Issues Committee.** The committee met on March 6, 2015 and decided to
29 recommend to the full Panel that future NDCAP meetings have five key elements: (1)
30 decommissioning activities update from Entergy; (2) decommissioning activities
31 update from the State of Vermont; (3) public comment; (4) educational segment;
32 and (5) issues segment. The committee is exploring a possible trip to Connecticut
33 Yankee and the Millstone 1 SAFSTOR facility.
- 34 • **Entergy Update on Decommissioning Activities.** Joe Lynch, Government Affairs
35 Manager, Entergy Vermont Yankee, provided an update on decommissioning
36 activities. In preparation for long-term dormancy, power was removed from select
37 buildings, systems drained, security modified and some buildings removed from the
38 site. A map of the site with completed and anticipated changes was displayed.
39 Building removal is being done with state agency review and permitting.

- 1 • **Presentation on Dry Cask Storage.** Jay Tarzia, Certified Health Physicists, Principal
2 of Radiation Safety and Control Services and Chairman of the New Hampshire State
3 Radiation Advisory Committee gave a general overview of the characteristics of dry
4 fuel storage.
- 5 • **Presentation by State of Vermont Departments and Agencies on the State's Role
6 in Decommissioning.** David Mears, Commissioner of the VT Department of
7 Environmental Conservation (DEC); Dr. William Irwin, designee for the Secretary of
8 Human Services; and Christopher Recchia, Commissioner of the Public Service
9 Department outlined their department's role in the decommissioning process.
10 The Department of Environmental Conservation focuses on non-radiological
11 contamination such as PCBs, lead paint, standard industrial contaminants, storm
12 water, wastewater permitting and plays a regulatory role in petroleum storage. The
13 Health Department conducts radiological and environmental monitoring of the VY
14 site and works with the Vermont Division of Emergency Management on the
15 emergency response plan. The Public Service Department takes the lead role as
16 public advocate and designated state nuclear liaison with the NRC. The department
17 reviews, with the Public Service Board, the certificate of public good (CPG) for the
18 second ISFSI (dry cask storage pad). The department is seeking to coordinate with
19 Entergy on the many filings with the NRC including emergency planning zone, site
20 fence line, decommissioning trust fund and data feed for emergency response.
- 21 • **New Panel Member.** The Governor of New Hampshire appointed Diane Becker,
22 Chief of Technological Hazards, New Hampshire Emergency Management and
23 Homeland Security to replace Sen. Molly Kelly who resigned.

24 25 **May 28, 2015**

- 26 • **Entergy Update on Decommissioning Activities.** Joe Lynch, Government Affairs
27 Manager, Entergy Vermont Yankee, provided an update on recent activities. Fifty-
28 two systems on site will be "laid up" for long-term dormancy, seven are complete
29 and twenty-two are currently in process. Security modifications at the site include
30 increased signage and notifications. Seven buildings have been removed from the
31 site. Entergy, the states of Vermont and New Hampshire, FEMA and the NRC
32 completed a hostile action based exercise on May 13. The performance was graded
33 excellent.
- 34 • **State of Vermont Update on Decommissioning Activities.** Anthony Leshinskie,
35 Vermont State Nuclear Engineer and David Mears, Commissioner of Environmental
36 Conservation, provided an update on the recent decommissioning activities by the
37 State. The Public Service Department and the Attorney General's office are involved
38 in a number of appeals including the State's objections to Entergy's application to
39 reduce the emergency planning zone, questions about the use of the Nuclear

1 Decommissioning Trust (NDT) and the discontinuation of the Emergency Response
2 Data System (ERDS). A Hazardous Waste Compliance Evaluation Inspection of the
3 VY site by the Agency of Natural Resources Waste Management and Prevention
4 Division identified issues with labeling, waste characterization and inventory
5 records.

- 6 • ***Entergy Presentation on Certificate of Public Good Process (CPG) on Second
7 Independent Spent Fuel Storage Installation (ISFSI).*** Joe Lynch, Government
8 Affairs Manager, Entergy Vermont Yankee, provided an overview of Entergy's CPG
9 application. Currently, there is a permitted ISFSI (dry cask storage pad) onsite with
10 a capacity of thirty-six casks. Thirteen dry casks are currently on the pad. Fifty-
11 eight casks will be needed to store all the fuel from VY's operating life. The proposal
12 before the Public Service Board (PSB) is to build a second pad, adjacent to the first,
13 to hold twenty-two casks. The planned construction schedule, based on obtaining a
14 CPG by early May 2016, will meet the goal of having all fuel in dry storage by 2020.
15 The design option chosen was the best fit based on soil analysis, security plans, the
16 same earthquake/flooding analysis and efficiencies created by the proximity to the
17 existing ISFSI.
- 18 • ***State of Vermont Overview of Certificate of Public Good Process (CPG).*** Aaron
19 Kisicki, Staff Attorney, Department of Public Service, provided an overview of the
20 CPG process for the second ISFSI. The Public Service Board will consider the
21 project's impacts on orderly development, economics, the environment, and public
22 health/safety. The Board must find there is adequate financial assurance and
23 commitment to move spent fuel to certified long-term storage in the Entergy spent
24 fuel management plan. The process is currently in the discovery phase. It will move
25 through testimony, rebuttal testimony, cross examination, briefing, review and
26 decision.
- 27 • ***State of Vermont Agency of Natural Resources Presentation on GPG Process.***
28 David Mears provided an overview of the ANR's role in the CPG process. ANR is an
29 automatic party or statutory party to the process and also has independent
30 permitting authority. The Public Service Board must find that the project will not
31 negatively impact the environment or use of natural resources. The Agency will
32 participate in discovery and hearings looking specifically at river corridor issues like
33 inundation risks and erosion, along with storm water capture/treating and other
34 water quality issues.

35 **June 25, 2015**

- 36 • ***Entergy Update on Decommissioning Activities.*** Joe Lynch, Government Affairs
37 Manager, Entergy Vermont Yankee, gave an update on recent activities. Fifty-two
38 systems on site will be drained or "laid up" for long-term dormancy, eight are

1 complete and fifteen are in process. Buildings continue to be transitioned to stable,
2 long-term lay-up condition. Security modifications are ongoing. The site held a
3 training drill June 10, 2015. The Public Service Board (PSB) visited the site on June
4 4, 2015 as part of the CPG process. Entergy received approval of an exemption
5 request to allow access to the Nuclear Decommissioning Trust (NDT) for applicable
6 costs of spent fuel management and physical decommissioning. NRC resident staff
7 will transition to inspection only as of June 26, 2015. The NRC has scheduled a
8 routine radiological inspection in July and a security inspection in August.

- 9 • ***State of Vermont Update on Decommissioning Activities.*** Anthony Leshinskie,
10 Vermont State Nuclear Engineer and Chris Recchia, Commissioner of the Public
11 Service Department, provided an update on recent filings made by the State
12 regarding Entergy's planned reduction of the emergency planning zone (EPZ) in
13 2016; the NRC's ruling that the Nuclear Decommissioning Trust (NDT) Fund can be
14 used for spent fuel management; and the NRC's waiver of the 30-day notice for
15 withdrawal of funds from the NDT.
- 16 • ***Presentation by Holtec International on the Dry Cask.*** Dr. Kris Singh, President
17 and CEO of Holtec International presented information on the HI-STORM 2 MPC
18 STORAGE SYSTEM that is and will continue to be used at Vermont Yankee for dry
19 fuel storage.
- 20 • ***Panel Discussion on the Advisory Opinion Process.*** The legislation that formed the
21 NDCAP states that one of the Panel's duties is to "advise the Governor, the General
22 Assembly, the agencies of the State, and the public on issues related to the
23 decommissioning of the VYNPS." A committee was formed to recommend an advisory
24 opinion process to the full Panel at the September 24 NDCAP meeting. Panelist
25 serving on the committee: David Deen, Chris Campany, Kate O'Connor, Jim Matteau,
26 and Martin Langeveld.

27 28 **September 24, 2015**

- 29 • ***Entergy Update on Decommissioning Activities.*** Joe Lynch, Government Affairs
30 Manager, Entergy Vermont Yankee, provided an update on recent activities. No
31 issues were identified during an on-site inspection (groundwater, radiation
32 controls, system abandonment work and design work) completed the week of 9/14-
33 9/17. Entergy's funding of the emergency plan (EPlan) will decrease in April 2016.
34 Entergy has signed a continued funding agreement with New Hampshire and is in
35 discussions with Massachusetts. To date no agreement has been reached with the
36 State of Vermont. Entergy has withdrawn its License Amendment Request (LAR) to
37 opt out of the current requirement that they provide 30-day notice prior to making
38 withdrawals from the Nuclear Decommissioning Trust Fund.

- 1 • **State of Vermont Update on Decommissioning Activities.** Anthony Leshinskie,
2 Vermont State Nuclear Engineer gave an update on recent activities. The State has
3 filed a number of contentions, including the discontinuation of the Emergency
4 Response Data System (ERDS) and the reduction of the emergency planning zone
5 (EPZ). The State is awaiting a ruling from the NRC. An address has been set up for
6 the Panel to receive public comment: PSD.ndcap@vermont.gov.

7
8 Commissioner Recchia noted that although Entergy has withdrawn its License
9 Amendment Request in regards to the 30-day notification of withdrawals from the
10 NDT, the State is still going before the Atomic Safety and Licensing Board (ASLB)
11 asking that Entergy be required to provide information on how the funds will be
12 used.

- 13 • **Presentation on Emergency Response During Decommissioning.** Erica
14 Bornemann Chief of Staff, Vermont Division of Emergency Management and
15 Homeland Security (DEMHS) made a presentation on the Radiological Emergency
16 Response Program (RERP). DEMHS is responsible for local and State plan
17 development, revision, equipment maintenance, training and exercise. The State of
18 Vermont believes there should be some level of emergency planning while fuel
19 remains in the spent fuel pool. The State is looking for a “step-down” approach to
20 emergency preparedness until 2020 when all the fuel is removed from the pool.
- 21 • **Presentation on Emergency Response During SAFSTOR and Decontamination.**
22 Dr. Bill Irwin, Vermont Department of Health, made a presentation on the
23 emergency response during SAFSTOR and decontamination. The NRC and Entergy
24 contend that no offsite emergency capabilities are necessary beyond April 2016
25 because no accidents will results in doses in excess of the EPA Protective Action
26 Guides. The State disagrees and believes that some funding is necessary. The State
27 should continue to independently monitor environmental media around the station.
28 The Department of Health can develop a scaled-back budget for what is appropriate
29 during SAFSTOR and DECON.
- 30 • **Adoption of Advisory Opinion Process.** The Panel approved a process by which the
31 group will make advisory opinions. **(Attached)** The Panel agreed to move four
32 topics forward: (1) public engagement in the NRC’s decommissioning process; (2)
33 certificate of public good for the second dry cask storage pad at the Vermont Yankee
34 site; (3) Vermont Department of Health groundwater monitoring; and (4) funding
35 for the continuation of the Radiological Emergency Response Plan (RERP). Draft
36 opinions will be written and discussed at the November 12 NDCAP meeting.
- 37 • **New Panel Members.** Trey Martin, Deputy Secretary of the Agency of Natural
38 Resources filled the seat vacated by David Mears, Commissioner, Department of

1 Environmental Conservation. Paul Paradis, Decommissioning Director, ENVY filled
2 the seat vacated by Mike Twomey, Vice President External Affairs, ENVY.

3 **November 12, 2015**

- 4 • ***Entergy Update on Decommissioning Activities.*** Joe Lynch, Government Affairs
5 Manager, Entergy Vermont Yankee, provided an update on recent activities. VY
6 conducted an emergency plan (EPlan) drill on October 21, 2015 as part of ongoing
7 training and Emergency Response Organization (ERO) qualifications. A test of the
8 sirens was successfully completed. The NRC conducted an on-site inspection the
9 week of October 26. The third quarter NRC Decommissioning Power Reactor
10 Inspection Report was issued on October 22, 2015 with no findings.

11 On September 22, Entergy withdrew its License Amendment Request regarding the
12 requirement that it provide written notification 30 days prior to withdrawing funds
13 from the Nuclear Decommissioning Trust (NDT) Fund. Entergy determined that it
14 was not an undue burden to file the notices. On October 16, the Atomic Safety and
15 Licensing Board (ASLB) granted Entergy's motion with two conditions: (1) The
16 company must notify the State when any new License Amendment Request
17 regarding the NDT is filed with the NRC; and (2) Entergy must specify whether the
18 disbursements fall under one of following categories: Payment to \$5 million state
19 settlement agreement; emergency preparedness costs; shipments of non-
20 radiological asbestos waste; insurance or property taxes; replacement of structures
21 related to dry cask storage; or legal costs associated with these categories.

- 22 • ***State of Vermont Update on Decommissioning Activities.*** Anthony Leshinskie,
23 Vermont State Nuclear Engineer gave a status report on three filings the State has
24 before the NRC: (1) Elimination of the Emergency Response Data Systems (ERDS)
25 for the Vermont Radiological Emergency Response Plan (RERP); (2) Valid uses of
26 the Nuclear Decommissioning Trust Fund; and (3) Opposition to the reduction of
27 the emergency planning zone (EPZ). To date the NRC has upheld the ASLB's ruling
28 that the Emergency Response Data Systems (ERDS) for the Vermont Radiological
29 Emergency Response Plan (RERP) is no longer required.
- 30 • ***Entergy Update on Status of the Nuclear Decommissioning Trust Fund.*** Joe
31 Lynch, Government Affairs Manager, Entergy Vermont Yankee, provided an update
32 on status of the Nuclear Decommissioning Trust (NDT) Fund. As of September 30,
33 2015, the balance in the fund was \$595,733,175. Changes in the NDT are due to
34 market losses/gains, reimbursement from the NDT and payment of trust expenses.
35 ENVY continues to implement initiatives to reduce costs: staff reductions consistent
36 with the SAFSTOR plan; emergency plan reductions with NRC approval; inventory

1 reductions; and energy cost reductions through building closures and system
2 abandonment.

- 3 • **Entergy Update on Spent Fuel Management Plan.** On December 19, 2014, Entergy
4 submitted its update to the VY (Spent) Irradiated Fuel Management Plan (IFMP) to
5 the NRC. On October 5, 2015, the NRC approved the plan indicating that it was
6 adequate and provided sufficient detail regarding the funding mechanisms and
7 there was ample funding for spent fuel management based on the estimates Entergy
8 provided in December 2014.
- 9 • **Advisory Opinion.** The Panel adopted an advisory opinion on *Engaging Host*
10 *Communities in the Nuclear Regulatory Commission Reactor Decommissioning*
11 *Rulemaking.* **(Opinion attached)**

12 13 **December 12, 2015**

- 14 • **Panel Discussion on Advisory Opinion on Second ISFSI.** The Panel discussed
15 sending an advisory opinion on the certificate of public good for the second ISFSI
16 (dry cask storage pad) to the Public Service Board. Two opinions were drafted.
17 Neither opinion was moved forward, instead a working group was formed to draft a
18 consensus opinion to be acted upon at the January 28, 2016 NDCAP meeting. The
19 working group includes: Jim Matteau, Chris Recchia, Chris Campany, Steve
20 Skibniowsky, Paul Paradis and Kate O'Connor.

21 22 **IV. Major Milestones and Activities at the Vermont Yankee Site**

- 23 • January 12, 2015 - Removal of all spent fuel from the reactor and placement in spent
24 fuel pool. Spent fuel will remain in spent fuel pool through 2020.
- 25 • **[DATE]** - VY certified to the NRC that reactor was defueled and confirmed its
26 intention to permanently cease operations.
- 27 • January 19, 2015 - Workforce reduced from 528 to 343 **[or is it 550-316]**.
- 28 • January 20, 2015 - VY exited the NRC Reactor Oversight Process (ROP) and
29 commenced the decommissioning inspection program.
- 30 • January 29, 2015 - Federal lab confirms finding of low levels of Strontium-90 in
31 water samples taken from VY monitoring wells in August 2014.
- 32 • February - Decommissioning preparation activities **[continue/begin]**: system
33 draining/lay up; building power removal to "cold to dark"; security modifications.
- 34 • February 5, 2015 - Post-shutdown emergency plan implemented.
- 35 • February 16, 2015 - NRC staff site visit including planned inspection activities.
- 36 • March - Decommissioning preparation activities continue: system draining/lay up;
37 building power removal to "cold to dark"; security modifications.
- 38

- 1 • May - Decommissioning preparation activities continue: system draining/lay up;
2 building power removal to “cold to dark”; security modifications.
- 3 • May - Select structure/building removal completed
- 4 • May 13, 2015 - Hostile Action-Based (HAB) graded exercise conducted at VY. FEMA
5 and NRC rate overall performance excellent with all objectives met.
- 6 • May 18, 2015 - Hazardous Waste Compliance Evaluation Inspection of VY site by the
7 Agency of Natural Resources Waste Management and Prevention Division notes
8 issues with labeling, waste characterization and inventory records. VY received a
9 Notice of Alleged Violation (NOAV) from ANR on July 31. Entergy notified ANR on
10 September 9 that all issues had been corrected.
- 11 • June - Decommissioning preparation activities continue: system draining/lay up;
12 building power and services removal ongoing.
- 13 • June 10, 2015 - Emergency plan drill conducted at VY as part of ongoing training and
14 Emergency Response Organization (ERO) qualifications.
- 15 • June 16-17, 2015 - NRC/Nuclear Security Incident Response (NSIR) on-site review
16 of Phase 1 changes conducted.
- 17 • June 26, 2015 - On-site NRC Resident Inspector transitioned to inspection-based
18 oversight.
- 19 • September - Decommissioning preparation activities continue: system draining/lay
20 up; building power and services removal ongoing.
- 21 • September - Security plan changes – Phase 1 and Phase 2 modifications completed.
- 22 • September 14-17, 2015 - NRC conducted on-site inspection. No issues identified.
- 23 • October 21, 2015 - Emergency plan drill conducted at VY as part of ongoing training
24 and Emergency Response Organization (ERO) qualifications.
- 25 • October 22, 2015 - NRC quarterly inspection report found no issues of safety
26 significance.
- 27 • December 16, 2015 - Entergy announced that it will begin transferring spent
28 nuclear fuel from the spent fuel pool to dry cask storage starting in 2017, two years
29 earlier than originally planned. The anticipated timeline for completing the transfer
30 remains the end of 2020.

31 **V. Post Shutdown-Decommissioning Activities Report**

32
33 Entergy submitted the Post Shutdown-Decommissioning Activities Report (PSDAR) to the
34 Nuclear Regulatory Commission on December 19, 2014. The NRC hosted a public meeting
35 in Brattleboro on February 19, 2015 to obtain public comment on the PSDAR.

36
37

1 **VI. Certificate of Public Good for the Construction of a Second ISFSI (Dry Cask**
2 **Storage Pad) at the Vermont Yankee Site**

3
4
5 On April 29, 2015 the Vermont Public Service Board (PSB) held a status conference on
6 Entergy's petition for a certificate of public good (CPG), authorizing the construction of a
7 second ISFSI (dry cask storage pad) and related improvements, including installation of a
8 new diesel generator with an electrical rating of approximately 200 kW, at the VY site.
9 Currently, there is a permitted pad onsite with a capacity of thirty-six casks. Fifty-eight
10 casks will be needed to store all the fuel from VY's operating life. The proposal before the
11 Public Service Board is to build a second pad, adjacent to the first, to hold twenty-two
12 casks. A schedule for the CPG process was set with a ruling by the Public Service Board
13 expected in early 2016. On June 4, the Public Service Board held a public hearing on the
14 petition in Vernon. The Public Service Department and Agency of Natural Resources are
15 automatic formal parties to the proceedings.
16

17 **VII. Nuclear Decommissioning Trust Fund**

18
19 On November 12, 2015 the Panel received an update from Entergy on the status of the
20 Nuclear Decommissioning Trust (NDT) Fund. As of September 30, 2015 the balance in the
21 fund was \$595,733,175. The estimated cost of decommissioning is \$1.242 billion. **Entergy**
22 **has withdrawn \$x since January 1, 2015.**
23

24 Entergy applied for and was granted an exemption by the Nuclear Regulatory Commission
25 allowing money from the fund to be used for long-term spent fuel management at the
26 Vermont Yankee site. Entergy's planned expenditure is \$225 million. The Vermont
27 Attorney General and Public Service Department are contesting the NRC's decision to allow
28 the funds to be used for this purpose. The State argues that the trust fund should only be
29 used for activities associated with radiological decommissioning and doing otherwise may
30 result in insufficient funds to complete the decommissioning process in a timely manner.
31

32 **VIII. Visit to Connecticut Yankee Site**

33
34 On June 26, 2015 members of the NDCAP visited the Connecticut Yankee site in Haddam
35 Neck, Connecticut. Panel members and staff attending: David Andrews, Chris Campany,
36 Bill Irwin, Jim Matteau, Kate O'Connor, Steve Skibniowsky and State Nuclear Engineer
37 Tony Leshinskie. The group met with Brantley Buerger, CY ISFSI Manager and Bob
38 Capstick, Director of Regulatory Affairs for the Yankee Companies. The group visited the
39 ISFSI site and received a briefing on the decommissioning process from Buerger and
40 Capstick. A full report of the trip is **attached**.

1 **IX. Advisory Opinion Process**
2

3 The Nuclear Decommissioning Citizens Advisory Panel was created under 18 V.S.A.
4 Chapter 34 in 2014. The statute authorizes the Panel to “*advise the Governor, the General*
5 *Assembly, the agencies of the State, and the public on issues related to the decommissioning*
6 *of the VYNPS . . .*” and “*receive reports regarding the decommissioning plans for the VYNPS,*
7 *including any site assessments and post-shutdown decommissioning assessment reports . . .*
8 *and to provide comment on these plans and reports as the Panel may consider appropriate to*
9 *State agencies and the owner of the VYNPS and in the annual report described in subdivision*
10 *(2) of this section.*”
11

12 In order to provide the advice and comment authorized by statute, the Panel adopted an
13 advisory opinion process that allows for panel discussion, public comment and completion
14 of the process in a timely manner. Because there is no language limiting who the Panel can
15 advise, the Panel decided it would issue advice to individuals and organizations beyond
16 those listed in state law. **(Process attached)**
17

18 The Panel voted to move four topics forward for discussion: (1) public engagement in the
19 NRC’s decommissioning process; (2) certificate of public good (CPG) for the second dry
20 cask storage pad at the Vermont Yankee site; (3) Vermont Department of Health
21 groundwater monitoring; and (4) funding for the continuation of the Radiological
22 Emergency Response Plan (RERP).
23

24 The Panel approved an opinion on *Engaging Host Communities in the Nuclear Regulatory*
25 *Commission Reactor Decommissioning Rulemaking. (Letter attached)* On December 12,
26 2015 the Panel discussed sending an advisory opinion on the CPG for the second dry cask
27 storage pad to the Public Service Board. Two opinions were drafted. Neither opinion was
28 moved forward, instead a working group was formed to draft a consensus opinion to be
29 acted upon at the January 28, 2016 NDCAP meeting. A discussion on the groundwater
30 monitoring and RERP opinions will take place in 2016.
31

32 **X. Letter to Vermont, Connecticut, Maine and Massachusetts Congressional**
33 **Delegations on the Storage of Spent Nuclear Fuel**
34

35 The chairs of the Vermont, Connecticut, Maine and Massachusetts citizen panels sent a joint
36 letter to their respective congressional delegations urging approval of an interim,
37 centralized storage facility so the nuclear waste currently stored at shuttered plants can be
38 moved offsite. **(Letter attached)**
39
40

1 **XI. Nuclear Regulatory Commission Advance Notice of Proposed Rulemaking**
2

3 On November 19, the Nuclear Regulatory Commission published an advance notice of
4 proposed rulemaking (ANPR) – the first step toward developing clear requirements for the
5 decommissioning of nuclear power reactors. The NRC anticipates that the rulemaking
6 process will be completed in 2019. The NRC set January 4, 2016 as the deadline for public
7 comment on the ANPR. At the December 12, 2015 NDCAP meeting fifteen members of the
8 Panel signed a letter asking the NRC to extend the public comment period until at least
9 February 4, 2016 and hold public meetings in the communities where a plant
10 decommissioning has begun or will in the near future. On December 24 the NRC
11 announced that the comment period will be extended to March 18, 2016. **(Letter**
12 **attached)**

13
14 **XII. Financial Needs of the NDCAP**
15

16 The Department of Public Service will continue to provide administrative and financial
17 support to the Panel. Entergy will continue to provide in-kind administrative support and
18 in-kind meeting resources (i.e. audio-visual equipment for presentations (laptop and
19 projector), microphones, copies of meeting materials, etc.). The Panel is currently
20 assessing what, if any, funds it may require from the State of Vermont to carry out its
21 mission.

22
23 **XIII. Workplan for 2016**
24

25 The Panel reserved the option to meet monthly in 2016. To date meetings have been set
26 for January 28 and February 25.